

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

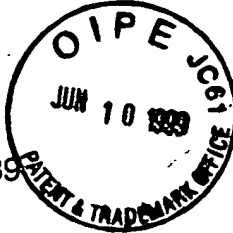
In re Application of:

Kondo, et al.

Application No.: 09/249,489

Filed: February 12, 1999

For: Method and Apparatus for Error Data
Recovery



Assistant Commissioner for Patents
Box Missing Parts
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing parts of Application (Filing Date
Granted) mailed March 3, 1999, please find enclosed:

- (1) a duly executed Declaration and Power of Attorney with respect to
the above-referenced patent application;
- (2) a check in the amount of \$130.00 in payment of the surcharge of
37 C.F.R. § 1.16(e);
- (3) a copy of the Notice to File Missing Parts of Application;
- (4) a Petition for a two month extension of time under 37 C.F.R. §
1.136(a); and

- 1 -

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail with
sufficient postage in an envelope addressed to the
Assistant Commissioner for Patents, Washington, D.C. 20231

On 6/7/99
Date of Deposit
Chen Chintanbea et al
Name of Person Mailing Correspondence
Chen Chintanbea et al
Signature
6/7/99
Date

(5) a check in the amount of \$380.00 in payment of the extension of time fee.

If any additional fee is required, please charge Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: June 7, 1999

Maria McCormack Sobrino
Maria McCormack Sobrino
Reg. No. 31,639

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8598



#3

PTO/SB/17(10/96)

Approved for use through 09/30/98. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

TOTAL AMOUNT OF PAYMENT (\$) 510.00

Complete if Known:

Application No. 09/249,489

Filing Date February 12, 1999

First Named Inventor Kondo, et al.

Group Art Unit 2785

Examiner Name Not yet assigned

Attorney Docket No. 80398.P198

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number _____

Deposit Account Name _____

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.131(b)

2. ☒ Payment Enclosed

☒ Check

☐ Money Order

☐ Other

FEE CALCULATION

1. FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
101	760	201	380	Utility application filing fee	_____
106	310	206	155	Design application filing fee	_____
107	480	207	240	Plant filing fee	_____
108	760	208	380	Reissue filing fee	_____
114	150	214	75	Provisional application filing fee	_____
SUBTOTAL (1)					\$ <u>0</u>

2. CLAIMS

			Extra		Fee from below		Fee Paid
Total Claims	_____	- 20 =	_____	X	_____	=	_____
Independent Claims	_____	- 3 =	_____	X	_____	=	_____
Multiple Dependent Claims	_____		_____	X	_____	=	_____

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
103	18	203	9	Claims in excess of twenty	_____
102	78	202	39	Independent claims in excess of 3	_____
104	260	204	130	Multiple dependent claim	_____
109	78	209	39	Reissue independent claims over original patent	_____
110	18	210	9	Reissue claims in excess of 20 and over original patent	_____
SUBTOTAL (2)					\$ <u>0</u>

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	130.00
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for response within first month	
116	380	216	190	Extension for response within second month	380.00
117	870	217	435	Extension for response within third month	
118	1,360	218	680	Extension for response within fourth month	
128	1,850	228	925	Extension for response within fifth month	
119	300	219	150	Notice of Appeal	
120	300	220	150	Filing a brief in support of an appeal	
121	260	221	130	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive unavoidably abandoned application	
141	1,210	241	605	Petition to revive unintentionally abandoned application	
142	1,210	242	605	Utility issue fee (or reissue)	
143	430	243	215	Design issue fee	
144	580	244	290	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	240	126	240	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	760	246	380	For filing a submission after final rejection (see 37 CFR 1.129(a))	
149	760	249	380	For each additional invention to be examined (see 37 CFR 1.129(a))	
Other fee (specify) _____					
Other fee (specify) _____					

SUBTOTAL (3)\$ 510.00

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Maria McCormack SobrinoSignature Maria McCormack Sobrino Date June 7, 1995Reg. Number 31,639 Deposit Account User ID 02-2666**FIRST CLASS CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

on 6/7/99
Date of Deposit

Cheri Clinkenbeard

Name of Person Mailing Correspondence
Clinkenbeard
Signature6/7/99
Date



SECTOR #3
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/249,489	02/12/99	KONDO	80398.P198

MARIA MCCORMACK SOBRINO
BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
7TH FLOOR
LOS ANGELES CA 90025

NOT ASSIGNED

2785

DATE MAILED:

03/03/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☒ non-small entity is \$ 130.00

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ _____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ _____, including any multiple dependent claim fees, are required.

\$ _____ for _____ independent claims over 3.

\$ _____ for _____ dependent claims over 20.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
☐ does not cover the newly submitted items.
☐ does not identify the application to which it applies.
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment:

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

D King
Customer Service Center

Initial Patent Examination Division (703) 205-1000

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